

REMARKS

In view of the foregoing amendments and following remarks, applicants respectfully request reconsideration and allowance of the above-identified application.

In the January 17, 2007, Office Action ("Office Action"), Claims 1-20, 36, and 41 were rejected under either 35 U.S.C. § 102(b) or 35 U.S.C. § 103(a) as being anticipated or unpatentable over U.S. Patent No. 6,422,714 to Griffin et al. ("Griffin"). The Examiner also requested confirmation of the prior provisional election made via telephone to prosecute Claims 1-20, 36, and 41. Applicants hereby confirm this election and accordingly have canceled non-elected Claims 21-35 and 37-40.

In addition, applicants have canceled Claim 41 and added new Claims 42-49. Accordingly, Claims 1-20, 36, and 42-49 are currently pending.

Rejection of Claims 1-6, 8-11, 14-19, 36, and 41 Under 35 U.S.C. § 102(b) and Claims 7, 12-13, and 20 Under 35 U.S.C. § 103(a)

The Examiner specifically rejected Claims 1-6, 8-11, 14-19, 36, and 41 under 35 U.S.C. § 102(b) as being anticipated by Griffin, while Claims 7, 12-13, and 20 were rejected 35 U.S.C. § 103(a) as being unpatentable over Griffin. Applicants respectfully traverse these rejections.

The Claims Distinguished

Independent Claim 1

Claim 1, as amended, reads as follows:

1. A system for reporting information regarding use of one or more software products from one or more client devices to at least one server, comprising:
 - a report user interface;
 - one or more sets of report user interface definition files residing on each of the one or more client devices, wherein a set of report user interface definition files customizes the report user interface for collecting report information regarding a particular software product; and

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

a problem-reporting client for constructing the report user interface without requiring an initial connection to the at least one server, the report user interface based on the one or more sets of report user interface definition files; for collecting report information; and for providing report information to the at least one server.

Applicants respectfully submit that Griffin does not teach or suggest a system for reporting information in a distributed environment in which report user interface definition files reside on the client device and the problem-reporting client constructs the report user interface using these files without requiring an initial connection to a server, as clarified by amended Claim 1 as presented above. Griffin, on the other hand, is specifically directed to a centralized testing system which maintains control of the reporting environment. (Griffin, Col. 1, line 42-Col. 2, line 7.) While the testers (i.e., remote users) in Griffin remain distributed, control is nonetheless maintained by the central server and, hence, an initial connection with the central server is required to construct and present test forms to remote users. (*Id.*)

To anticipate a claim under 35 U.S.C. § 102(b), the cited reference must teach each and every element recited in the claim. *Applied Medical Resources Corp. v. U.S. Surgical Corp.* 147 F.3d 1374, 1378 (Fed. Cir. 1998). With regard to independent Claim 1, applicants respectfully submit that the cited reference fails to teach or suggest:

... one or more sets of report user interface definition files residing on each of the one or more client devices, wherein a set of report user interface definition files customizes the report user interface for collecting report information regarding a particular software product; and a problem-reporting client for constructing the report user interface without requiring an initial connection to the at least one server . . .

as recited in Claim 1. For these reasons, applicants respectfully request withdrawal of the rejection of Claim 1 under 35 U.S.C. § 102(b) and allowance of the claim.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

Dependent Claims 2-16 and 42-49

Claims 2-16 and 42-49 depend from Claim 1 and accordingly are submitted to be allowable at least for the same reasons presented above with respect to Claim 1, as well as for the additional subject matter they recite. For example, Claim 9 recites that the report package provided by the problem-reporting client to a server comprises a report file generated based on information entered by way of the report user interface and additional information including additional files which are designated in the set of report user interface definition files. Nothing in Griffin teaches packaging and sending the server such information. In addition, Claim 42 recites that the problem-reporting client is configured to save the report file in incomplete form in a first session and to provide access to the report file in a later session to facilitate completion of the report file before transmitting the report file to the at least one server. Nothing in Griffin teaches such a problem-reporting client. For these reasons, applicants respectfully request withdrawal of the rejections of Claims 2-16 and 42-49 and allowance of the claims.

Independent Claims 17 and 36

For purposes of this discussion, Claims 17 and 36 will be discussed together because the limitations discussed herein are similar for each claim.

Claim 17, as amended, reads as follows:

17. A method for obtaining information regarding use of a software product, the method comprising:
 - obtaining information reported by a user of the software product from a client device by way of a problem-reporting client and one or more report user interface definition files, wherein the report user interface definition files specify a user interface customized with respect to the software product and presented by the problem-reporting client without requiring an initial connection to a server;
 - providing the obtained information to a server; and
 - receiving one or more modified report user interface definition files based on the information reported by the user.

Claim 36, as amended, reads as follows:

36. A computer-readable medium having computer-executable instructions for implementing a method for obtaining information regarding use of a software product, the method comprising:

obtaining information reported by a user of the software product from a client device by way of a problem-reporting client and one or more report user interface definition files, wherein the report user interface definition files specify a user interface customized with respect to the software product and presented by the problem-reporting client without requiring an initial connection to a server;

providing the obtained information to a server; and

receiving one or more modified report user interface definition files based on the information reported by the user.

As similarly set forth with respect to Claim 1, applicants respectfully submit that Griffin does not teach or suggest a method or computer-readable medium for obtaining and reporting information in a distributed environment in which information is obtained by way of a problem-reporting client and one or more report user interface definition files, wherein the report user interface definition files specify a user interface that is customized with respect to the software product and that is presented by the problem-reporting client without requiring an initial connection to a server, as clarified by amended Claims 17 and 36 and as presented above. Griffin, on the other hand, is specifically directed to a centralized testing system which maintains control of the reporting environment. (Griffin, Col. 1, line 42-Col. 2, line 7.) While the testers (i.e., remote users) in Griffin remain distributed, control is nonetheless maintained by the central server and, hence, an initial connection with the central server is required to construct and present test forms to remote users. (*Id.*)

To anticipate a claim under 35 U.S.C. § 102(b), the cited reference must teach each and every element recited in the claim. *Applied Medical Resources Corp. v. U.S. Surgical Corp.* 147 F.3d 1374, 1378 (Fed. Cir. 1998). With regard to independent Claims 17 and 36, applicants respectfully submit that the cited reference fails to teach or suggest "obtaining information

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206 682 8100

reported by a user of the software product from a client device by way of a problem-reporting client and one or more report user interface definition files, wherein the report user interface definition files specify a user interface customized with respect to the software product and presented by the problem-reporting client without requiring an initial connection to a server" as recited in Claims 17 and 36. For at least these reasons, applicants respectfully request withdrawal of the rejection of Claims 17 and 36 under 35 U.S.C. § 102(b) and allowance of the claims.

Dependent Claims 18-20

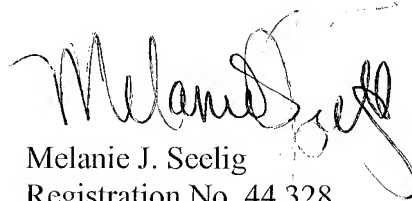
Claims 18-20 depend from Claim 17 and accordingly are submitted to be allowable at least for the same reasons presented above with respect to Claim 17, as well as for the additional subject matter they recite. For example, Claim 20 recites that the report package provided by the problem-reporting client to a server comprises a report file generated based on information entered by way of the report user interface and additional information including additional files which are designated in the set of report user interface definition files. Nothing in Griffin teaches packaging and sending the server such information. For these reasons, applicants respectfully request withdrawal of the rejections of Claims 18-20 and allowance of the claims.

CONCLUSION

In view of the foregoing remarks, applicants respectfully submit that Claims 1-20, 36, and 42-49 are allowable over the cited art. Accordingly, applicants respectfully request that Claims 1-20, 36, and 42-49 be allowed and this application be passed to issue. If the Examiner has any questions that can be resolved by telephone, the Examiner is invited to contact the undersigned counsel at the number set forth below.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Melanie J. Seelig
Registration No. 44,328
Direct Dial No. 206.695.1764

MJS:jam:lpz

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206 682.8100